


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KYLE PAGE	:	CIVIL ACTION
	:	
v.	:	NO. 24-2462
	:	
CHIEF PATRICK PRIORE, BRIAN	:	
VITKO, HOME DEPOT, TULLYTOWN	:	
POLICE DEPARTMENT	:	

**ORDER**

AND NOW, this 21<sup>st</sup> day of June 2024, having granted Plaintiff leave to proceed without paying the filing fees (ECF No. 6), now screening the Plaintiff's pro se Complaint (ECF No. 1) consistent with Congress's mandate, finding he sues parties who are not state actors and does not otherwise state a cognizable civil rights claim based on *Brady* claims not raised in state court or a habeas petition after exhausting his appellate challenges, finding this Order is the third time we dismissed Plaintiff's claims filed without paying the filing fees as lacking merit under section 1915(g), and for reasons in today's accompanying Memorandum, it is **ORDERED**:

1. We **dismiss** with prejudice section 1983 claims against Defendants Brian Vitko and Home Depot;
2. We **dismiss** section 1983 claims against Chief Patrick Priore and Tullytown Police Department without prejudice in accord with the guidance in today's accompanying Memorandum; and,
3. We **direct** the Clerk of Court **close** this case.

  
KEARNEY, J.